

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 12485404035

Fax Information

Date Received:

1/12/2006 9:19:14 PM [Eastern Standard Time]

Total Pages:

4 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received
Cover
Page

=====>

01-20-'06 15:11 FROM-TUNG & ASSOCIATES 12485404035 T-373 P07/11 U-370

Practitioner's Docket No. 67,200 1258

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellate Case of:

Group Art Unit: 2020

Serial No. 10/009,974

Examiner: T.N. Quach

File: 01/20/2006

In Response to Office Action

Dated: 10/20/05

For: HIGH-K GATE DIELECTRIC STACK WITH BUFFER LAYER TO IMPROVE
THRESHOLD VOLTAGE CHARACTERISTICS

Attorney Docket No.: 67,200 1258

Mail Stop: Appellate
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 20, 2005, finally rejecting Claims 22-42.

The fee(s) checked below are appropriate:

1. FEE FOR FILING NOTICE OF APPEAL

This application is on behalf of

☒ other than a small entity.

☐ is a small entity.

A verified statement

☐ is attached.

☐ was already filed on _____

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(a) the fee for filing the Notice of Appeal is:

☒ Small entity

\$250.00

☐ other than a small entity

\$500.00

Notice of Appeal fee due:

\$ 500.00

PAGE 14 * RCVD AT 1/12/2006 9:19:14 PM [Eastern Standard Time] * SVR:USPTO-EFXXF 6/32 * DNIS:2738300 * CSID:12485404035 * DURATION (mm-ss):02-32

BEST AVAILABLE COPY

01-20-'06 15:11 FROM-TUNG & ASSOCIATES

12485404035

T-373 P08/11 U-370

MEMORY TRANSMISSION REPORT

TIME : 01-12-'06 22:30
TEL NO.1 : 12485404035
NAME : TUNG & ASSOCIATES

FILE NO. : 285
DATE : 01.12 22:29
TO : 15712738300
DOCUMENT PAGES : 4
START TIME : 01.12 22:29
END TIME : 01.12 22:30
PAGES SENT : 4
STATUS : OK

TX ORIGINAL

Practitioner's Docket No. 07,200-1258

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chen et al.

Group Art Unit: 2020

Serial No. 10/009,074

Examiner: T N. Oishi

Filed: 03/28/2004

In Response to Office Action
Dated: 10/20/05

For HIGH-K GATE DIELECTRIC STACK WITH BUFFER LAYER TO IMPROVE
THRESHOLD VOLTAGE CHARACTERISTICS

Attorney Docket No. 07,200-1258

Mail Stop, Appeal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed 09/20/05, finally rejecting Claims 22-42.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.

☐ a small entity.

☐ A verified statement

☐ is attached.

☐ was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(c) the fee for filing this Notice of Appeal is:

<input checked="" type="checkbox"/>	small entity	\$250.00
<input type="checkbox"/>	other than a small entity	\$500.00
	Notice of Appeal fee due	\$... 250.00

Practitioner's Docket No. 67,200-1258

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chen et al.

Group Art Unit: 2826

Serial No.: 10/809,974

Examiner: T.N. Quach

Filed: 03/26/2004

In Response to Office Action

Dated: 10/20/05

For: HIGH-K GATE DIELECTRIC STACK WITH BUFFER LAYER TO IMPROVE
THRESHOLD VOLTAGE CHARACTERISTICS

Attorney Docket No.: 67,200-1258

Mail Stop: Appeal
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESApplicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 20, 2005, finally rejecting Claims 22-42.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.☐ a small entity.

A verified statement

☐ is attached.☐ was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is:

☐ small entity \$250.00☒ other than a small entity \$500.00Notice of Appeal fee due: \$ 500.00

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION (37 C.F.R. 1.8a)

I hereby certified that this correspondence is (1) ☐ being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on January ____, 2006; or (2) ☒ being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (571)-273-8300 on January 12, 2006.

Randy W. Tung
Printed Name


Signature

1/12/06
Date

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of §1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input type="checkbox"/>	three months	\$ 1,020.00	\$510.00
<input type="checkbox"/>	four months	\$ 1,590.00	\$795.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefore of \$_____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is: \$ 500.00
Notice of Appeal fee \$ 500.00
Extension fee (if any)\$ 0.00

TOTAL FEE DUE: \$ 500.00

5. FEE PAYMENT

- ☒ Attached is a Credit Card Payment Form in the sum of \$500.00.
☐ The Commissioner is hereby authorized to charge Deposit Account No. _____ in the amount of \$0.00.
A duplicate copy of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O. G. 31-33.

- ☐ If any additional extension and/or fee is required, charge Deposit Account No. 05-0484
(a duplicate copy of this letter is enclosed).

AND/OR

- ☐ If any additional fee for Claims is required, charge Account No. 05-0484.
(a duplicate copy of this letter is enclosed).

Signature of Practitioner

Reg. No. 31,311

Randy W. Tung

(type or print name of attorney)

Tel. No. (248) 540-4040

Tung & Associates

P.O. Address

838 W. Long Lake Road - Suite 120

Bloomfield Hills, Michigan 48302

Practitioner's Docket No. 67,200-1258

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chen et al.

Group Art Unit: 2826

Serial No.: 10/809,974

Examiner: T.N. Quach

Filed: 03/26/2004

In Response to Office Action

Dated: 10/20/05

For: HIGH-K GATE DIELECTRIC STACK WITH BUFFER LAYER TO IMPROVE
THRESHOLD VOLTAGE CHARACTERISTICS

Attorney Docket No.: 67,200-1258

Mail Stop: Appeal
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESApplicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 20, 2005, finally rejecting Claims 22-42.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.☐ a small entity.

A verified statement

☐ is attached.☐ was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$250.00
<input checked="" type="checkbox"/>	other than a small entity	\$500.00

Notice of Appeal fee due: \$ 500.00

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION (37 C.F.R. 1.8a)

I hereby certified that this correspondence is (1) ☐ being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January ____, 2006; or (2) ☒ being facsimile transmitted to the United States Patent and Trademark Office at facsimile number (571)-273-8300 on January 12, 2006.

Randy W. Tung
Printed Name


Signature

1/12/06
Date

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of §1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input type="checkbox"/>	three months	\$ 1,020.00	\$510.00
<input type="checkbox"/>	four months	\$ 1,590.00	\$795.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefore of \$ _____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is: \$ 500.00
Notice of Appeal fee \$ 500.00
Extension fee (if any)\$ 0.00

TOTAL FEE DUE: \$ 500.00

5. FEE PAYMENT

- ☒ Attached is a Credit Card Payment Form in the sum of \$500.00.
☐ The Commissioner is hereby authorized to charge Deposit Account No, _____ in the amount of \$0.00.
A duplicate copy of this transmittal is attached.

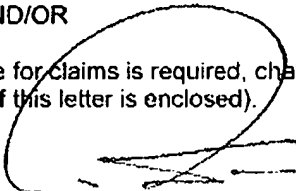
6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O. G. 31-33.

- ☒ If any additional extension and/or fee is required, charge Deposit Account No. 05-0484
(a duplicate copy of this letter is enclosed).

AND/OR

- ☐ If any additional fee for Claims is required, charge Account No. 05-0484.
(a duplicate copy of this letter is enclosed).



Signature of Practitioner Reg. No. 31,311
Randy W. Tung
(type or print name of attorney)
Tel. No. (248) 540-4040
Tung & Associates
P.O. Address
838 W. Long Lake Road - Suite 120
Bloomfield Hills, Michigan 48302